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**ORDINANCE NO. 11  
SERIES 2004**

**AN ORDINANCE VACATING THAT PORTION OF RAILROAD AVENUE AND PORTIONS OF 14<sup>TH</sup> STREET AND BOULEVARD STREET LYING ADJACENT TO BLOCK 15, RIO GRANDE ADDITION TO THE CITY OF GUNNISON, COUNTY OF GUNNISON, STATE OF COLORADO, AND RESERVING AN UNDERGROUND UTILITY EASEMENT THEREIN.**

**WHEREAS**, the applicant, Gunnison-Crested Butte Regional Airport, submitted an application for vacating public property dated May 22, 2003, requesting the City of Gunnison to vacate that portion of Railroad Avenue and portions of 14<sup>th</sup> Street and Boulevard Street lying adjacent to Block 15, Rio Grande Addition to the City of Gunnison; and

**WHEREAS**, the subject streets are to become a portion of the Gunnison-Crested Butte Regional Airport; and

**WHEREAS**, the Planning and Zoning Commission of the City of Gunnison held a public hearing upon the proposed vacation on July 23, 2003, and has made a recommendation to the City Council that the City Council proceed with the requested street vacations, while reserving an easement therein.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS THAT:**

Section 1. Findings of Fact. Based upon the application for street vacations, the supporting materials submitted therewith, and the evidence adduced at the public hearing conducted by the Planning Commission of the City of Gunnison, the City Council hereby finds as follows:

a. That the applicant, Gunnison County, through the Gunnison- Crested Butte Regional Airport, is the owner of all the property immediately adjacent to those portions of the streets requested to be vacated.

b. That B&L Holdings, LLC, by Kenneth R. Bergan, appeared at the public hearing. While supporting the requested street vacations, he requested that a cul-de-sac allowing the turning of commercial vehicles be established at the southern terminus of Boulevard Street.

c. That if such cul-de-sac is established, no properties, other than those of the applicant, would be denied access by the proposed street vacations.

d. That the City's Public Works Department supports the requested vacation, upon the condition that a cul-de-sac be established at the southern terminus of Boulevard Street, and that a utility easement be reserved in all portions of the streets requested to be vacated.

e. That no additional public comment was received at the public hearing in opposition to the requested street vacations.

f. That the proposed vacations do not conflict with the 2000 City of Gunnison Transportation Master Plan.

g. That the County of Gunnison has submitted to the City a dedication of the necessary right-of way to establish the cul-de-sac at the southern terminus of Boulevard Street, and an intergovernmental agreement which will preserve public access across Railroad Avenue until such time as the cul-de-sac is constructed.

Gail A. Davidson  
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